



CITY COUNCIL Agenda

June 8, 2021, 3 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Welcome to Your City Council Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website and in the Office of the City Clerk. The City Clerk is also available to answer any questions you have about City Council meeting procedures.

How to watch



City cable channel

Charter Spectrum channel 24
AT&T U-verse channel 99.



City website

carlsbadca.gov/news/citytv.asp

Virtual meeting format

- Per California Executive Order N-29-20, and in the interest of public health and safety, we are temporarily taking actions to prevent and mitigate the effects of the COVID-19 pandemic by holding City Council and other public meetings online only.
- All public meetings will comply with public noticing requirements in the Brown Act and will be made accessible electronically to all members of the public seeking to observe and address the City Council.

How to participate

- **By phone:** Sign up at <https://www.carlsbadca.gov/cityhall/clerk/meetings/default.asp> by 2 p.m. the day of the meeting to provide comments live by phone. You will receive a confirmation email with instructions about how to call in.
- **In writing:** Email comments to clerk@carlsbadca.gov. Comments received by 2 p.m. the day of the meeting will be shared with the City Council prior to the meeting. When e-mailing comments, please identify in the subject line the agenda item to which your comments relate. All comments received will be included as part of the official record. **Written comments will not be read out loud.**
- These procedures shall remain in place during the period in which state or local health officials have imposed or recommended social distancing measures.

Reasonable accommodations

Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 760-434-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday before the meeting to decide.

IN THE EVENT A QUORUM OF THE CITY COUNCIL LOSES ELECTRICAL POWER OR SUFFERS AN INTERNET CONNECTION OUTAGE THAT IS NOT CORRECTED WITHIN 15 MINUTES, THE MEETING WILL AUTOMATICALLY BE ADJOURNED. ANY ITEMS NOTICED AS PUBLIC HEARINGS WILL BE CONTINUED TO THE NEXT REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL. ANY OTHER AGENDA ITEMS THE COUNCIL HAS NOT TAKEN ACTION ON WILL BE PLACED ON A FUTURE AGENDA.

More information about City Council meeting procedures can be found at the end of this agenda and in the Carlsbad Municipal Code chapter 1.20. PLEASE NOTE: AS A RESULT OF THE WAIVERS IN EXECUTIVE ORDER N-29-20, THE BROWN ACT PERMITS FULL PARTICIPATION BY OFFICIALS IN MEETINGS THROUGH VIDEO OR AUDIO TELECONFERENCE.

The City Council also sits as the Carlsbad Municipal Water District Board, Public Financing Authority Board, Community Development Commission and Successor Agency to the Redevelopment Agency. When considering items presented to the Carlsbad Municipal Water District Board, each member receives an additional \$100 per meeting (max \$300/month). When considering items presented to the Community Development Commission each member receives an additional \$75 per meeting (max \$150/month).

CALL TO ORDER: 3 p.m.

ROLL CALL: Hall, Blackburn, Acosta, Bhat-Patel, Schumacher.

ANNOUNCEMENT OF CONCURRENT MEETINGS: City Council is serving as the Carlsbad Municipal Water District on Consent Item No. 6 and Public Hearing Item No. 12. The City Council is also serving as the Carlsbad Municipal Water District Board of Directors, Public Financing Authority, Community Development Commission and the Successor the Redevelopment Agency for Public Hearing Item No. 11.

INVOCATION: None.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Blackburn led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Minutes of the Special Meeting held March 11, 2021

Minutes of the Regular Meeting held March 16, 2021

Minutes of the Regular Meeting held March 23, 2021

Minutes of the Regular Meeting held April 6, 2021

Minutes of the Regular Meeting held April 13, 2021

Minutes of the Regular Meeting held April 20, 2021

ACTION: Minutes approved as presented – 5/0.

PRESENTATIONS:

Proclamation in recognition of Men's Health Month

Proclamation in recognition of Gun Violence Awareness Day

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

PUBLIC COMMENT: *The Brown Act allows any member of the public to comment on items not on the agenda. Please treat others with courtesy, civility, and respect. In conformance with the Brown Act and California Executive Order No. N-29-20, a total of 15 minutes is provided so members of the public may participate in the meeting by submitting comments as provided on the front page of this agenda. The City Council will receive comments as requested up to a total of 15 minutes in the beginning of the meeting. All other comments will be heard at the end of the meeting. In conformance with the Brown Act, no action can occur on these items.*

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed below. There will be no separate discussion on these items prior to the time the Council votes on the motion unless members of the Council, the City Manager, or the public request specific items be discussed and/or removed from the Consent Calendar for separate action.*

WAIVER OF ORDINANCE TEXT READING:

This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.

1. **REPORT ON CITY INVESTMENTS AS OF APRIL 30, 2021** – Accept and file Report on City Investments as of April 30, 2021. (Staff contact: Craig Lindholm and Laura Rocha, Administrative Services Department)

ACTION: Council received the report – 5/0.

2. ESTABLISH FISCAL YEAR 2021-22 SPECIAL TAXES FOR COMMUNITY FACILITIES DISTRICT NO. 1 – Adoption of a resolution establishing the Fiscal Year 2021-22 Special Taxes for Community Facilities District No. 1. (Staff contact: Roxanne Muhlmeister, Administrative Services Department)
ACTION: Adopted Resolution No. 2021-124 – 5/0.
3. FISCAL YEAR 2021-22 ANNUAL REPORT OF THE CARLSBAD TOURISM BUSINESS IMPROVEMENT DISTRICT AND RESOLUTION OF INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS – Adoption of a resolution approving the Carlsbad Tourism Business Improvement District Annual Report, declaring an intention to levy and collect an annual assessment and setting a majority-protest public hearing date. (Staff contact: Cheryl Gerhardt, Administrative Services Department)
ACTION: Adopted Resolution No. 2021-125 – 5/0.
4. FISCAL YEAR 2021-22 ANNUAL REPORT OF THE CARLSBAD GOLF LODGING BUSINESS IMPROVEMENT DISTRICT AND RESOLUTION OF INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS – Adoption of a resolution approving the Carlsbad Golf Lodging Business Improvement District Annual Report, declaring an intention to levy and collect an annual assessment and setting a majority-protest public hearing date. (Staff contact: Cheryl Gerhardt, Administrative Services Department)
ACTION: Adopted Resolution No. 2021-126 – 5/0.
5. RE-ADVERTISE FOR BIDS FOR INSTALLATION OF TEMPORARY TRAILERS FOR THE POLICE AND FIRE HEADQUARTERS RENOVATION PROJECT, CIP NO. 4715 – Adoption of a resolution rejecting the bid received, approving the revised plans and specifications and authorizing the City Clerk to re-advertise for bids for installation of temporary trailers for the Police and Fire Headquarters Renovation Project, CIP No. 4715. (Staff contact: Steven Stewart, Public Works and Mickey Williams, Police Department)
ACTION: Adopted Resolution No. 2021-127 – 5/0.
6. ACCEPT AND APPROPRIATE \$76,500 IN METROPOLITAN WATER DISTRICT MEMBER AGENCY ADMINISTERED PROGRAM FISCAL YEAR 2021-22 GRANT FUNDING – Adoption of a Carlsbad Municipal Water District Board resolution authorizing the executive manager to accept the Metropolitan Water District Member Agency Administered Program fiscal year 2021-22 grant funding. (Staff contact: Mika Imoto and Vicki Quiram, Public Works)
ACTION: Adopted Resolution No. 1654 – 5/0.
7. ADVERTISE FOR BIDS FOR THE FISCAL YEAR 2020-21 AMERICANS WITH DISABILITIES ACT IMPROVEMENT PROJECT, CIP NO. 6049-21 – Adoption of a resolution approving the plans and specifications and authorizing the City Clerk to advertise for bids for the fiscal year 2020-21 Americans with Disabilities Act Improvement Program, CIP No. 6049-21. (Staff contact: Scott Lyle, Public Works)
ACTION: Adopted Resolution No. 2021-128 – 5/0.
8. AMENDMENT NO. 2 TO AGREEMENT WITH KIMLEY HORN & ASSOCIATES, INC. FOR THE FLEET FUEL ISLAND UPGRADE PROJECT, CIP NO. 4747 – Adoption of a resolution authorizing execution of Amendment No. 2 to the Agreement with Kimley Horn & Associates, Inc. to amend the agreement in an amount not to exceed \$58,200 and extend the agreement term by one year for additional design services and authorizing an appropriation of \$13,000 from the Infrastructure Replacement

Fund for the Fleet Fuel Island Upgrade, CIP No. 4747. (Staff contact: Steven Stewart, Public Works)

ACTION: Adopted Resolution No. 2021-129 – 5/0.

9. AGREEMENT WITH AXON ENTERPRISE, INC. FOR BODY WORN CAMERAS AND EVIDENCE STORAGE

Adoption of a resolution approving an agreement with Axon Enterprise, Inc. for body worn cameras and evidence storage in an amount not to exceed \$1,204,479 over a period of five years. (Staff contact: Cindy Anderson, Police Department)

ACTION: Adopted Resolution No. 2021-130 – 5/0.

10. AGREEMENT WITH MOTOROLA SOLUTIONS AND DAY WIRELESS SYSTEMS FOR SOFTWARE UPGRADES FOR THE ENCRYPTION OF POLICE RADIOS

– Adoption of a resolution approving an agreement with Motorola Solutions and Day Wireless Systems for the software upgrades for the encryption of police radios in an amount not to exceed \$252,142. (Staff contact: Cindy Anderson, Police Department)

ACTION: Adopted Resolution No. 2021-131 – 5/0.

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARINGS:

11. FISCAL YEAR 2021-22 OPERATING BUDGET, STRATEGIC DIGITAL TRANSFORMATION INVESTMENT PROGRAM AND CAPITAL IMPROVEMENT PROGRAM, THE FISCAL YEAR 2021-22 APPROPRIATION LIMIT AND REVISIONS OF FEES AND CHARGES OF SERVICES

– 1) Adoption of a resolution adopting the final Operating Budget, Strategic Digital Transformation Investment Program and Capital Improvement Program for fiscal year 2021-22 for the City of Carlsbad and establishing controls on changes in appropriations for budget funds;

2) Adoption of a Carlsbad Municipal Water District Board resolution adopting the water district's final Operating Budget and Capital Improvement Program for fiscal year 2021-22 for the City of Carlsbad and establishing controls on changes in appropriations for budget funds;

3) Adoption of a Community Development Commission resolution adopting the final Operating Budget of the Carlsbad Housing Authority for fiscal year 2021-22 and establishing controls on changes in appropriations for budget funds;

4) Adoption of a Public Financing Authority resolution adopting the final Operating Budget and Capital Improvement Program of the Crossings at Carlsbad Municipal Golf Course for fiscal year 2021-22 and establishing controls on changes in appropriations for budget funds;

5) Adoption of a City Council of the City of Carlsbad, acting as Successor Agency for the Carlsbad Redevelopment Agency, resolution adopting the final Operating Budget of the Successor Agency and enforceable debt obligations of the City of Carlsbad's Redevelopment Obligation Retirement Fund for fiscal year 2021-22 and establishing controls on changes in appropriations for budget funds;

6) Adoption of a resolution establishing the Fiscal Year 2021-22 Appropriation Limit as required by Article XIII B of the California State Constitution and state law;

7) Adoption of a resolution adopting changes to the Master Fee Schedule;

8) Adoption of a resolution approving the City of Carlsbad's share of the Fiscal Year 2021-22 Operating and Capital Budgets of the Encina Wastewater Authority;

- 9) Adoption of a resolution determining that the Fiscal Year 2021-22 Capital Improvement Program Budget is consistent with the General Plan and the Climate Action Plan;
- 10) Adoption of a resolution approving an adjustment to the Fiscal Year 2020-21 Capital Improvement Program Budget. (Staff contact: Laura Rocha and Ryan Green, Administrative Services Department)

City Manager's Recommendation: Take public input, close the public hearing and adopt the resolutions.

ACTION: Adopted Resolution No. 2021-132 – 5/0;

Adopted CMWD Resolution No. 1655 – 5/0;

Adopted CDC Resolution No. 550 – 5/0;

Adopted PFA Resolution No. 85 – 5/0;

Adopted Resolution No. 2021-133 – 5/0;

Adopted Resolution No. 2021-134 – 5/0;

Adopted Resolution No. 2021-135 – 5/0;

Adopted Resolution No. 2021-136 – 5/0;

Adopted Resolution No. 2021-137 – 5/0;

Adopted Resolution No. 2021-138 – 5/0;

Motion by Council Member Bhat-Patel, seconded by Council Member Acosta, to approve Fiscal Year 2021-22 Diversity, Equity & Inclusion Program Option 1 – Adding one Senior Program Manager position to enhance and manage a diversity, equity and inclusion program – 5/0.

12. APPROVAL OF THE 2020 URBAN WATER MANAGEMENT PLAN AND AMENDMENT TO THE 2015 URBAN WATER MANAGEMENT PLAN – 1) Adoption of a Carlsbad Municipal Water District Board resolution approving the 2020 Urban Water Management Plan and authorizing submittal to the California Department of Water Resources; or
- 2) Adoption of a Carlsbad Municipal Water District Board resolution approving the 2020 Urban Water Management Plan with comments and granting the Executive Manager the authority to review and approve the final UWMP for submittal to the California Department of Water Resources; and
- 3) Adoption of a Carlsbad Municipal Water District Board resolution approving the 2015 Urban Water Management Plan Amendment Appendix K – Reduced Delta Reliance, and authorizing submittal to the California Department of Water Resources; or
- 4) Adoption of a Carlsbad Municipal Water District Board resolution approving the 2015 Urban Water Management Plan Amendment Appendix K – Reduced Delta Reliance, with comments and granting the Executive Manager the authority to review and approve the final 2015 Urban Water Management Plan Amendment for submittal to the California Department of Water Resources. (Staff contact: Vicky Quiram and David Hull, Public Works)

City Manager's Recommendation: Take public input, close the public hearings and adopt the resolutions.

ACTION: Adopted Resolution No. 1656;

Adopted Resolution No. 1657 – 5/0.

DEPARTMENTAL AND CITY MANAGER REPORTS:

13. ESTABLISH CITY COUNCIL POLICY TO FORMALIZE FUNDING MECHANISMS FOR THE LONG-TERM CAPITAL NEEDS OF THE CITY – 1) Adoption of a resolution approving the establishment of the City Council Policy No. 91 – Long-Term General Fund Capital Funding Policy and the transfer of all remaining Innovation Funds to the Technology Investment Capital Fund; or
2) Adoption of a resolution approving the establishment of the City Council Policy No. 91 – Long-Term General Fund Capital Funding Policy, revising City Council Policy No. 74 – General Fund Reserve Policy, revising City Council Policy No. 87 – General Fund Surplus Policy and approving the transfer of all remaining Innovation Funds to the Technology Investment Capital Fund. (Staff contact: Ryan Green and Laura Rocha, Administrative Services Department)

City Manager’s Recommendation: Adopt the resolution.

ACTION: Adopted Resolution No. 2021-139 – 5/0.

14. CREDIT CARD FEES – 1) Receive a report; and
2) Adoption of a resolution setting a public hearing for 3 p.m. on July 13, 2021, to consider adding a two percent credit card fee for Transient Occupancy Tax, Business License Tax and Development Fee Payments to the Master Fee Schedule. (Staff contact: Cheryl Gerhardt, Administrative Services Department)

City Manager’s Recommendation: Receive the report and adopt the resolution.

ACTION: Council received the report;

Adopted Resolution No. 2021-140 – 3/2 (Hall, Acosta – No).

15. COMPLIANCE REPORT FOR ANNUAL FIRE INSPECTIONS – Adoption of a resolution accepting a report on the status of all state-mandated annual fire inspections in the City of Carlsbad in conjunction with the California Senate Bill 1205 and the California Health and Safety Code Section 13146.4. (Staff contact: Randy Metz, Fire Department)

City Manager’s Recommendation: Adopt the resolution.

ACTION: Adopted Resolution No. 2021-141 – 5/0.

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

City Council Regional Assignments (Revised 1/12/21)

Matt Hall North County Mayors and Managers
Mayor Chamber of Commerce Liaison (primary)
San Diego County Water Authority
SANDAG Board of Directors (primary)
City Council Legislative Subcommittee
Economic Revitalization Subcommittee
North County Homeless Action Committee

Keith Blackburn Buena Vista Lagoon JPC
Mayor Pro Tem – District 2 Encina Joint Powers JAC
Encina Wastewater Authority Board of Directors
SANDAG Board of Directors (2nd alternate)
SANDAG Shoreline Preservation Working Group (alternate)
Carlsbad Municipal Code and City Council Policy Update Subcommittee
Homeless Action Subcommittee

Priya Bhat-Patel Council Member – District 3	SANDAG Board of Directors (1 st alternate)
	SANDAG Shoreline Preservation Working Group (primary)
	North County Transit District (primary)
	City/School Committee
	Clean Energy Alliance JPA (primary)
	League of California Cities – SD Division (alternate)
	Economic Revitalization Subcommittee
Cori Schumacher Council Member – District 1	Buena Vista Lagoon JPC
	Encina Joint Powers JAC
	Encina Wastewater Authority Board of Directors
	League of California Cities – SD Division
	North County Dispatch Joint Powers Authority (alternate)
	Carlsbad Municipal Code and City Council Policy Update Subcommittee
	North County Homeless Action Committee
	Homeless Action Subcommittee
Teresa Acosta Council Member – District 4	City/School Committee
	Chamber of Commerce Liaison (alternate)
	Encina Wastewater Authority Board of Directors (alternate)
	North County Dispatch Joint Powers Authority
	City Council Legislative Subcommittee
	Clean Energy Alliance JPA (alternate)
	North County Transit District (alternate)

PUBLIC COMMENT: Continuation of the Public Comments

This portion of the agenda is set aside for continuation of public comments, if necessary, due to exceeding the total time allotted in the first public comments section. In conformance with the Brown Act, no Council action can occur on these items.

ANNOUNCEMENTS:

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

CITY MANAGER COMMENTS:

CITY ATTORNEY COMMENTS:

ADJOURNMENT: 6:18 p.m.

City Council Meeting Procedures (*continued from page 1*)

Written Materials

Written materials related to the agenda that are submitted to the City Council after the agenda packet has been published will be available for review prior to the meeting during normal business hours at the City Clerk's office, 1200 Carlsbad Village Drive and on the city website. To review these materials during the meeting, please see the City Clerk

Visual Materials

Visual materials, such as pictures, charts, maps or slides, are allowed for comments on agenda items, not general public comment. Please contact the City Manager's Office at 760-434-2820 or manager@carlsbadca.gov to make arrangements in advance. All materials must be received by the City Manager's Office no later than noon the day

before the meeting. The time spent presenting visual materials is included in the maximum time limit provided to speakers. All materials exhibited to the City Council during the meeting are part of the public record. **Please note that video presentations are not allowed.**

Decorum

All participants are expected to conduct themselves with mutual respect. Loud, boisterous and unruly behavior can interfere with the ability of the City Council to conduct the people's business. That's why it is illegal to disrupt a City Council meeting. Following a warning from the presiding officer, those engaging in disruptive behavior are subject to law enforcement action.

City Council Agenda

The City Council follows a regular order of business that is specified in the Carlsbad Municipal Code. The City Council may only make decisions about topics listed on the agenda.

Presentations

The City Council often recognizes individuals and groups for achievements and contributions to the community. Well-wishers often fill the chamber during presentations to show their support and perhaps get a photo. If you don't see an open seat when you arrive, there will likely be one once the presentations are over.

Consent Items

Consent items are considered routine and may be enacted together by one motion and vote. Any City Council member may remove or "pull" an item from the "consent calendar" for a separate vote. Members of the public may pull an item from the consent calendar by requesting to speak about that item. A speaker request form must be submitted to the clerk prior to the start of the consent portion of the agenda.

Public Comment

Members of the public may speak on any city related item that does not appear on the agenda. State law prohibits the City Council from taking action on items not listed on the agenda. Comments requiring follow up will be referred to staff and, if appropriate, considered at a future City Council meeting. Members of the public are also welcome to provide comments on agenda items during the portions of the meeting when those items are being discussed. In both cases, a request to speak form must be submitted to the clerk in advance of that portion of the meeting beginning.

Public Hearing

Certain actions by the City Council require a "public hearing," which is a time within the regular meeting that has been set aside and noticed according to different rules.

Departmental Reports

This part of the agenda is for items that are not considered routine and do not require a public hearing. These items are usually presented to the City Council by city staff and can be informational in nature or require action. The staff report about each item indicates the purpose of the item and whether or not action is requested.

Other Reports

At the end of each meeting, City Council members and the city manager, city attorney and city clerk are given an opportunity to share information. This usually includes reports about recent meetings, regional issues, and recent or upcoming meetings and events.

City Council Actions

Resolution

A resolution is an official statement of City Council policy that directs administrative or legal action or embodies a public City Council statement. A resolution may be introduced and adopted at the same meeting. Once adopted, it remains City Council policy until changed by subsequent City Council resolution.

Ordinance

Ordinances are city laws contained in the Carlsbad Municipal Code. Enacting a new city law or changing an existing one is a two-step process. First, the ordinance is "introduced" by city staff to the City Council. If the City Council votes in favor of the introduction, the ordinance will be placed on a subsequent City Council meeting agenda for "adoption." If the City Council votes to adopt the ordinance, it will usually go into effect 30 days later.

Motion

A motion is used to propose City Council direction related to an item on the agenda. Any City Council member may make a motion. A motion must receive a “second” from another City Council member to be eligible for a City Council vote.